

**REMARKS**

This communication is a full and timely response to the non-final Office Action dated October 1, 2004 (Paper No./Mail Date 20040928). By this communication, claims 52-58 have been canceled without prejudice, and claims 59-70 have been amended.

Claim 59 has been amended to include the subject matter recited in independent claim 57, and further recite wherein the first optical device includes a first convex lens having a convex curved face and a first optical portion, wherein the first optical portion includes a first face, a second face, a first concave curved face, and a first hole, wherein the first face is parallel to the second face, the first face includes the first concave curved face, the first hole connects the second face to the first face through a portion of the first concave curved face, wherein a portion of the convex curved face of the first convex lens is exposed in the first hole of the first optical portion, wherein the second optical device includes a second convex lens having a convex curved face and a second optical portion, wherein the second optical portion includes a third face, a fourth face, and a second concave curved face, wherein the third face includes the second concave curved face, the second concave curved face contacts the convex curved face of the second convex lens, and the first and second optical devices are bonded so that the optical axes of the first and second convex lenses coincide or substantially coincide, and wherein the first face is a lower face of the first optical portion, the second face is an upper face of the first optical portion, the third face is a lower face of the second optical portion, and the fourth face is an upper face of the second optical portion. Support for the subject matter added to claim 58 can be found variously throughout the claims, drawings, and specification, for example, in original claim 58, at page 120, line 10 through page 123, line 15 of the specification; and Figs. 44-46 of the drawings. No new matter has been added.

Claim 69 was amended to recite the flat surface of the first face of the first optical portion and the fourth face of the second optical portion are bonded. Support for the changes to claim 69 can be found variously throughout the specification and drawings, for example, at page 122, lines 18-22 and Fig. 44. No new matter has been added.

Claims 60-68 and 70 have been amended to address formal issues and improve idiomatic English. No new matter has been added.

Claims 59-70 are pending where claim 59 is independent.

**Allowable Subject Matter**

Applicant thanks the Examiner for indicating that claims 59-70 contain allowable subject matter. As discussed above, Applicant has placed claim 59 in independent form. Accordingly, Applicant submits that claims 59-70 are in condition for allowance.

**Rejections Under 35 U.S.C. §112**

Claims 52, 58, and 63 were rejected under 35 U.S.C. §112, first paragraph for being non-enabled by the specification. Claim 52 has been canceled without prejudice. Therefore, the rejection of claim 52 is moot and should be withdrawn. Applicant respectfully traverses the rejection to claims 58 and 63. However, in an effort to expedite prosecution claims 58 and 63 were amended to cancel the alleged non-enabled subject matter. Accordingly, Applicant respectfully requests that the rejection of claims 58 and 63 under 35 U.S.C. §112, first paragraph be withdrawn.

Claims 53 and 59 were rejected under 35 U.S.C. §112, first paragraph for being non-enabled by the specification. Claim 53 has been canceled without prejudice. Therefore, the rejection of claim 52 is moot and should be withdrawn. Applicant respectfully traverses the rejection to claim 59. However, in an effort to expedite prosecution claim 59 was amended to cancel the alleged non-enabled subject matter. Accordingly, Applicant respectfully requests that the rejection of claim 59 under 35 U.S.C. §112, first paragraph be withdrawn.

Claim 69 was rejected under 35 U.S.C. §112, first paragraph for being non-enabled by the specification. In particular, the Office Action alleges that the first face of the first optical portion and the fourth face of the second optical portion are bonded, as recited in claim 69 are non-enabled. Applicant respectfully traverses the rejection. However, in an effort to expedite prosecution, Applicant has amended claim 69 to recite the flat surface of the first face of the first optical portion and the fourth face of the second optical portion are bonded. As discussed above, support for this change to claim 69 can be found, for example, in Fig. 46. Accordingly, Applicant respectfully requests that the rejection of claim 69 under §112, first paragraph be withdrawn.

Claim 55 was rejected under 35 U.S.C. §112, second paragraph as indefinite. Claim 55 has been canceled without prejudice. Therefore, the rejection of claim 55 is moot. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

#### **Claim Objections**

Claims 57 and 68 were objected to for lacking clarity. Claim 57 has been canceled without prejudice. Therefore, the objection to claim 57 is moot and should be withdrawn. Regarding the objection to claim 68, claim 68 has been amended to recite the material of the at least one of first convex lens and second convex lens is one of titanium oxide, tantalum oxide, niobium oxide, gallium phosphate, gallium nitride, a compound of titanium, niobium, and oxygen, a compound of titanium, tantalum, and oxygen, or silicon nitride. Accordingly, Applicant respectfully requests that the objection to claim 68 be withdrawn.

Claim 59 was objected to for an alleged lack of antecedent basis. Claim 59 has been amended to change “the flat surface” to “a flat surface.” Accordingly, Applicant respectfully requests that the objection to claim 59 be withdrawn.

#### **Rejection Under 35 U.S.C. §102**

Claims 52-56 were rejected under 35 U.S.C. §102(e) as anticipated by *Harada*, U.S. Patent No. 6,392,819. As discussed above, claims 52-56 have been canceled without prejudice. The rejection of claims 52-56 is now moot. Accordingly, Applicant respectfully requests that the rejection to claims 52-56 under 35 U.S.C. §102 be withdrawn.

Claim 52 was rejected under 35 U.S.C. §102(b) as anticipated by *Stewart et al.*, U.S. Patent No. 4,304,461. As discussed above, claim 52 has been canceled without prejudice. The rejection of claim 52 is now moot. Accordingly, Applicant respectfully requests that the rejection to claim 52 under 35 U.S.C. §102 be withdrawn.

#### **Rejections Under 35 U.S.C. §103**

Claim 57 was rejected under 35 U.S.C. §103(a) as unpatentable over *Harada* in view of *Nomura et al.*, U.S. Patent No. 6,342,976. As discussed above, claim 57 has been canceled without prejudice. The rejection of claim 57 is now moot. Accordingly, Applicant respectfully requests that the rejection to claim 57 under 35 U.S.C. §103 be withdrawn.

Claim 58 was rejected under 35 U.S.C. §103(a) as unpatentable over *Stewart*. As discussed above, claim 58 has been canceled without prejudice. The rejection of claim 58 is now moot. Accordingly, Applicant respectfully requests that the rejection to claim 58 under 35 U.S.C. §103 be withdrawn.

**Conclusion**

Based on at least the foregoing amendments and remarks, Applicants submit that claims 59-70 are allowable, and this application is in condition for allowance. Accordingly, Applicants request favorable reexamination and reconsideration of the application. In the event the Examiner has any comments or suggestions for placing the application in even better form, Applicants request that the Examiner contact the undersigned attorney at the number listed below.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-2084/DIV2 from which the undersigned is authorized to draw.

Dated:

12/16/04

Respectfully submitted,

By

Ronald P. Kananen

Registration No.: 24,104

Attorney for Applicant

**RADER, FISHMAN & GRAUER, PLLC**

Lion Building

1233 20<sup>th</sup> Street, N.W., Suite 501

Washington, D.C. 20036

Tel: (202) 955-3750

Fax: (202) 955-3751

Customer No. 23353